

MESSAGE NO: 3204111 MESSAGE DATE: 07/23/1993

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: FIN-Final Determination PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-122-820, A-351-814, A-588-824

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 07/09/1993 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: FINAL DETERMINATIONS OF ANTIDUMPING DUTY INVESTIGATIONS OF STEEL PRODUCTS FROM VARIOUS COUNTRIES

MESSAGE NO: 3204111

DATE: 07 23 1993

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CASES: A - 351 - 814

A - 122 - 820

A - 588 - 824

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PERIOD COVERED: 07 09 1993 TO

LIQ SUSPENSION DATE:

TO: REGIONAL DIRECTORS, COMMERCIAL OPERATIONS
DISTRICT DIRECTORS, AREA AND PORT DIRECTORS

FROM: DIRECTOR, IMPORT SPECIALIST DIVISION

RE: FINAL DETERMINATIONS OF ANTIDUMPING DUTY INVESTIGATIONS OF STEEL PRODUCTS FROM VARIOUS COUNTRIES

1. THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER ON JULY 9, 1993, THE FINAL DETERMINATIONS THAT CERTAIN CARBON STEEL FLAT PRODUCTS FROM VARIOUS COUNTRIES ARE BEING OR ARE LIKELY TO BE, SOLD IN THE UNITED STATES AT LESS THAN FAIR VALUE.

2. ONE OF THE FOUR CLASSES OR KINDS OF PRODUCTS COVERED BY THESE INVESTIGATIONS IS CERTAIN HOT-ROLLED CARBON STEEL FLAT PRODUCTS. THESE PRODUCTS INCLUDE HOT-ROLLED CARBON STEEL FLAT-ROLLED PRODUCTS, OF RECTANGULAR SHAPE, OF A WIDTH OF 0.5 INCH OR

GREATER, NEITHER CLAD, PLATED NOR COATED WITH METAL, WHETHER OR NOT PAINTED, VARNISHED OR COATED WITH PLASTICS OR OTHER NONMETALLIC SUBSTANCES, IN COILS (WHETHER OR NOT IN SUCCESSIVELY SUPERIMPOSED LAYERS), OR IN STRAIGHT LENGTHS WHICH ARE LESS THAN 4.75 MILLIMETERS IN THICKNESS AND OF A WIDTH MEASURING AT LEAST 10 TIMES THE THICKNESS, AS CURRENTLY CLASSIFIABLE IN THE HTS UNDER ITEM NUMBERS

7208.11.0000, 7208.12.0000, 7208.13.1000, 7208.13.5000, 7208.14.1000, 7208.14.5000, 7208.21.1000, 7208.21.5000, 7208.22.1000, 7208.22.5000, 7208.23.1000, 7208.23.5030, 7208.23.5090, 7208.24.1000, 7208.24.5030, 7208.24.5090, 7208.34.1000, 7208.34.5000, 7208.35.1000, 7208.35.5000, 7208.44.0000, 7208.45.0000, 7208.90.0000, 7210.70.3000, 7210.90.9000, 7211.12.0000, 7211.19.1000, 7211.19.5000, 7211.22.0090, 7211.29.1000, 7211.29.3000, 7211.29.5000, 7211.29.7030, 7211.29.7060, 7211.29.7090, 7211.90.0000, 7212.40.1000, 7212.40.5000, 7212.50.0000, 7214.30.0000, 7214.40.0010, 7214.50.0010, 7214.60.0010, AND 7215.90.5000.

INCLUDED IN THESE INVESTIGATIONS ARE FLAT-ROLLED PRODUCTS OF NONRECTANGULAR CROSS-SECTION WHERE SUCH CROSS-SECTION IS ACHIEVED SUBSEQUENT TO THE ROLLING PROCESS (I.E., PRODUCTS WHICH HAVE BEEN ("WORKED AFTER ROLLING")) -- FOR EXAMPLE, PRODUCTS WHICH HAVE BEEN BEVELLED OR ROUNDED AT THE EDGES.

EXCLUDED FROM THESE INVESTIGATIONS ARE CERTAIN CARBON BAND SAW STEEL AND CERTAIN SEAT BELT RETRACTOR SPRING STEEL, WHICH ARE DEFINED RESPECTIVELY BY THE FOLLOWING SPECIFICATIONS;

CERTAIN CARBON BAND SAW STEEL

CHEMICAL COMPOSITION:

CARBON	1.21 PERCENT - 1.35 PERCENT
MANGANESE	0.15 PERCENT - 0.35 PERCENT
PHOSPHORUS	0.025 PERCENT MAXIMUM
SULPHUR	0.010 PERCENT MAXIMUM
SILICON	0.10 PERCENT - 0.25 PERCENT
ALUMINUM	0.015 PERCENT MAXIMUM

CHROMIUM 0.10 PERCENT 0.30 PERCENT
COPPER 0.15 MAXIMUM

MICROSTRUCTURE:

MUST BE FULLY SORBITIC WITH CARBIDE SIZE #1 ABSOLUTE
MAXIMUM.

WIDTH:

14 INCHES MAXIMUM

THICKNESS:

0.07 INCH - 0.125 INCH

CERTAIN SEAT BELT RETRACTOR SPRING STEEL

CHEMICAL COMPOSITION:

CARBON 0.78 PERCENT - 0.83 PERCENT
MANGANESE 0.35 PERCENT - 0.50 PERCENT
PHOSPHORUS 0.020 PERCENT MAXIMUM
SULPHUR 0.008 PERCENT MAXIMUM
SILICON 0.10 PERCENT - 0.20 PERCENT
ALUMINUM 0.020 PERCENT - 0.060 PERCENT
CHROMIUM 0.05 PERCENT - 0.15 PERCENT
COPPER 0.12 PERCENT MAXIMUM

NON-METALLIC INCLUSION RATING:

- 1) IPSI 10,000 MAXIMUM
- 2) ASTM E45 A: 2 MAXIMUM
B AND C: 1 MAXIMUM
D: 1 MAXIMUM
- 3) DIN 50602 SS: MAXIMUM 3
OA: MAXIMUM 1
OS: MAXIMUM 1
OG: MAXIMUM 2

BANDING:

#1 MAXIMUM

DECARBURIZATION:

COMPLETE EQUALS 0.0005 INCH MAXIMUM

TOTAL EQUALS 0.002 INCH MAXIMUM

WIDTH:

14 INCHES MAXIMUM

THICKNESS:

0.07 INCH - 0.125 INCH

ALTHOUGH THE HTS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, OUR WRITTEN DESCRIPTION OF THE SCOPE OF THESE PROCEEDINGS IS DISPOSITIVE.

3. FOR FURTHER REPORTING PURPOSES, THESE CASES HAVE BEEN ASSIGNED THE FOLLOWING INVESTIGATION NUMBERS:

BRAZIL A-351-814

CANADA A-122-820

JAPAN A-588-824

4. THE DEPARTMENT OF COMMERCE HAS DETERMINED THAT CRITICAL CIRCUMSTANCES EXIST WITH RESPECT TO SUMITOMO FOR EXPORTS OF CERTAIN HOT-ROLLED CARBON STEEL FLAT PRODUCTS FROM JAPAN. THEREFORE, THE CUSTOMS SERVICE SHALL SUSPEND LIQUIDATION FOR PRODUCTS THAT ARE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION, ON OR AFTER NOVEMBER 6, 1993, WHICH IS 90 DAYS PRIOR TO THE DATE OF PUBLICATION OF THE PRELIMINARY DETERMINATION IN THE FEDERAL REGISTER, AND EFFECTIVE JULY 9, 1993, SHALL REQUIRE A CASH DEPOSIT OR BOND EQUAL TO THE ESTIMATED MARGIN PERCENTAGE LISTED BELOW FOR SUMITOMO.

THE DEPARTMENT OF COMMERCE HAS FURTHER DETERMINED THAT CRITICAL CIRCUMSTANCES DO NOT EXIST WITH REGARD TO ANY OTHER IMPORTS OF HOT-ROLLED CARBON STEEL FLAT PRODUCTS FROM JAPAN. THE U.S. CUSTOMS SERVICE SHOULD THEREFORE TERMINATE SUSPENSION OF LIQUIDATION ON ALL ENTRIES OF THIS MERCHANDISE FROM JAPAN MADE BEFORE FEBRUARY 4, 1993, AND SHALL RELEASE ANY CASH DEPOSITS OR BONDS POSTED ON ENTRIES OF HOT-ROLLED CARBON STEEL FLAT PRODUCTS

FROM JAPAN BETWEEN NOVEMBER 6, 1992, AND FEBRUARY 3, 1993.
HOWEVER, ENTRIES OF HOT-ROLLED CARBON STEEL FLAT PRODUCTS ENTERED
ON OR AFTER FEBRUARY 4, 1993, SHALL REMAIN SUSPENDED.

THE U.S. CUSTOMS SERVICE SHALL CONTINUE TO SUSPEND LIQUIDATION
OF ALL HOT-ROLLED CARBON STEEL FLAT PRODUCTS FROM BRAZIL, CANADA,
AND JAPAN THAT ARE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR
CONSUMPTION, ON OR AFTER FEBRUARY 4, 1994, AND, EFFECTIVE JULY 9,
1993, SHALL REQUIRE A CASH DEPOSIT OR THE POSTING OF A BOND EQUAL
TO THE ESTIMATED FINAL MARGINS LISTED BELOW:

MANUFACTURER\PRODUCER EXPORTER	CUSTOMS ID NUMBER	MARGIN PERCENTAGE
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BRAZIL

CSN	A-351-814-003	87.00
COSIPA	A-351-814-001	87.00
USIMINAS	A-351-814-002	40.44
ALL OTHERS	A-351-814-000	71.48

CANADA

DOFASCO INC.	A-122-820-001	32.79
IPSCO	A-122-820-002	20.08
STELCO INC.	A-122-820-003	16.86
ALL OTHERS	A-122-820-000	20.84

JAPAN

NKK CORP	A-588-824-001	26.51
NIPPON STEEL CORP.	A-588-824-002	26.51
SUMITOMO METALS IND	A-588-824-003	26.51
ALL OTHERS	A-588-824-000	26.51

5. IN GENERAL, THE DEPOSIT RATE REQUIRED ON EACH ENTRY WILL BE
THAT ASSIGNED TO THE MANUFACTURER OF THE FLAT-ROLLED STEEL
PRODUCT. FOR THE ENTRY TO BE ACCEPTED, THE NAME OF THE
MANUFACTURER MUST BE CLEARLY IDENTIFIED.

IN THE EVENT THAT THE EXPORTER IS A RESELLER, TRADING COMPANY, OR STEEL SERVICE CENTER, THE FOLLOWING INSTRUCTIONS SHOULD BE FOLLOWED:

(1) IF THE RESELLER, ETC., SIMPLY RESELLS THE FLAT-ROLLED PRODUCT, A DEPOSIT OR BOND EQUAL TO THE RATE ASSIGNED TO THE MANUFACTURER WILL BE REQUIRED.

(2) IF THE RESELLER, ETC., DOES SOME FURTHER PROCESSING BUT DOES NOT TRANSFORM THE FLAT-ROLLED STEEL PRODUCT INTO A CLASS OR KIND OF MERCHANDISE DIFFERENT THAN THAT PURCHASED FROM THE MANUFACTURER, A DEPOSIT OR BOND EQUAL TO THE RATE ASSIGNED TO THE MANUFACTURER WILL BE REQUIRED (E.G., IF A RESELLER PURCHASES A FOUR-FOOT WIDE COIL OF HOT-ROLLED STEEL AND SLITS IT INTO FOUR ONE-FOOT WIDE COILS OF HOT-ROLLED STEEL).

(3) IF THE RESELLER, ETC., DOES FURTHER PROCESSING AND CHANGES THE PRODUCT INTO A DIFFERENT CLASS OR KIND OF MERCHANDISE, A DEPOSIT OR BOND EQUAL TO THE "ALL OTHERS" RATE FOR THE NEW CLASS OR KIND WILL APPLY (E.G., IF A RESELLER PURCHASES A COIL OF HOT-ROLLED STEEL OF A THICKNESS OF 4.75 MILLIMETERS OR MORE AND CUTS THE STEEL TO LENGTH, THE "ALL OTHERS" RATE FOR CUT-TO-LENGTH PLATE WOULD APPLY).

(4) IF THE RESELLER, ETC., IS RELATED TO THE MANUFACTURER OF THE SUBJECT MERCHANDISE, A DEPOSIT OR BOND EQUAL TO THE RATE ASSIGNED TO THE MANUFACTURER WILL BE REQUIRED.

6. FOR MERCHANDISE ENTERED UNDER 9802.00.60 (AMERICAN GOODS RETURNED), IF THE PRODUCT HAS BEEN TRANSFORMED INTO A CLASS OR KIND OF MERCHANDISE SUBJECT TO THIS INVESTIGATION IN A COUNTRY SUBJECT TO INVESTIGATION, A DEPOSIT OR BOND EQUAL TO THE FOREIGN MANUFACTURER'S ASSIGNED RATE ON THE FULL VALUE OF THE PRODUCT WILL BE REQUIRED. FOR THE PURPOSES OF ANTIDUMPING AND COUNTERVAILING DUTIES, GALVANIZING CONSTITUTES SUBSTANTIAL TRANSFORMATION (E.G., U.S. ORIGIN COLD-ROLLED STEEL GALVANIZED IN ANOTHER COUNTRY IS SUBJECT TO THE AD VALOREM CASH DEPOSIT FOR CORROSION-RESISTANT STEEL FROM THE SUBJECT COUNTRY).

7. FOR U.S. ORIGIN MERCHANDISE WHICH IS TOLLED IN A COUNTRY SUBJECT TO INVESTIGATION, A DEPOSIT OR BOND IS REQUIRED ON THE VALUE ADDED ON THE SUBJECT MERCHANDISE IN THE COUNTRY SUBJECT TO INVESTIGATION.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT THE IMPORT SPECIALIST DIVISION, OTHER AGENCY BRANCH, VIA E-MAIL TO ATTRIBUTE "HQ OAB." OTHER INTERESTED PARTIES SHOULD CONTACT EDWARD YANG OR RICHARD WEIBLE, OFFICE OF AGREEMENTS COMPLIANCE, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE ON 202-482-3793.

9. THERE ARE NO RESTRICTIONS ON RELEASE OF THIS INFORMATION.

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Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party